



Senate

General Assembly

File No. 479

February Session, 2014

Substitute Senate Bill No. 40

Senate, April 10, 2014

The Committee on Planning and Development reported through SEN. OSTEN of the 19th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING THE PUBLICATION OF MUNICIPAL LEGAL NOTICES IN NEWSPAPERS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 1-2 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective January 1, 2015*):

3 (a) Each provision of the general statutes, the special acts or the
4 charter of any town, city or borough [which] that requires the insertion
5 of an advertisement of a legal notice in a daily newspaper shall be
6 construed to permit such advertisement to be inserted in a weekly
7 newspaper, including, but not limited to, a weekly newspaper
8 distributed free of charge to the residents of the town, city or borough;
9 but this section shall not be construed to reduce or otherwise affect the
10 time required by law for giving such notice. Whenever notice of any
11 action or other proceeding is required to be given by publication in a
12 newspaper, either by statute or order of court, the newspaper selected
13 for that purpose, unless otherwise expressly prescribed, shall be one

14 having a substantial circulation in the town in which at least one of the
15 parties, for whose benefit such notice is given, resides.

16 (b) With respect to any requirement for the insertion of an
17 advertisement of a legal notice in a newspaper by a town, city or
18 borough, a description of such legal notice containing a brief summary
19 of the matter being noticed and a reference to the Internet web site of
20 the newspaper in which such legal notice is placed may be published
21 in lieu of the full legal notice. Any newspaper that offers publication of
22 such legal notices on an Internet web site shall post the full legal notice
23 in a conspicuous location on such web site and make any such full
24 legal notice available to the public free of charge.

25 Sec. 2. Subsection (a) of section 1-225 of the general statutes is
26 repealed and the following is substituted in lieu thereof (*Effective*
27 *January 1, 2015*):

28 (a) The meetings of all public agencies, except executive sessions, as
29 defined in subdivision (6) of section 1-200, shall be open to the public.
30 The votes of each member of any such public agency upon any issue
31 before such public agency shall be reduced to writing and made
32 available for public inspection within forty-eight hours and shall also
33 be recorded in the minutes of the session at which taken. Not later than
34 seven days after the date of the session to which such minutes refer,
35 such minutes shall be available for public inspection and posted on
36 such public agency's Internet web site, if available, [, except that no
37 public agency of a political subdivision of the state shall be required to
38 post such minutes on an Internet web site.] Each public agency shall
39 make, keep and maintain a record of the proceedings of its meetings.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>January 1, 2015</i>	1-2
Sec. 2	<i>January 1, 2015</i>	1-225(a)

PD Joint Favorable Subst.

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact:

Municipalities	Effect	FY 15 \$	FY 16 \$
All Municipalities	Savings	See Below	See Below

Explanation

The bill allows municipalities to post abbreviated versions of legal notices in newspapers. It allows municipalities to post full legal notices on its Web site, or on a newspaper's Web site free of charge.

There is a savings associated with posting less information in newspapers. Such savings would depend on the number of legal notices posted by municipalities, and how different newspapers charge for different sized notices. The Town of Fairfield spent approximately \$20,000 on posting legal notices in FY 13, whereas the City of Stamford spends approximately \$50,000 to \$55,000 per year on notices and advertising.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis**sSB 40*****AN ACT CONCERNING THE PUBLICATION OF MUNICIPAL LEGAL NOTICES IN NEWSPAPERS.*****SUMMARY:**

This bill allows municipalities, whenever they are required to publish a legal notice in a newspaper, to publish a brief description of the matter being noticed and reference the newspaper's website where the full notice is published, provided the website is free to access. Newspapers must place full legal notices in a conspicuous location on their websites.

By law, legal notices required to be published in a newspaper must appear in a daily or weekly newspaper that has a substantial circulation in the municipality where at least one of the parties, for whose benefit the notice is given, lives. The bill specifies that these legal notices may be published in a free weekly newspaper that is distributed to municipal residents.

The bill also eliminates a Freedom of Information Act exemption for municipal agencies, which will require them to post public meeting minutes on their websites, if they maintain one. As for state agencies, the posting requirement applies only to minutes that must be publicly disclosed (i.e., not executive session minutes).

EFFECTIVE DATE: January 1, 2015

BACKGROUND***Related Bill***

sHB 5580, favorably reported by the Planning and Development Committee, allows municipalities required to publish a legal notice before holding a public hearing on the sale, lease, or transfer of their

real property to place the notice (1) in a weekly print publication having general circulation in the municipality or (2) on the municipality's Internet website.

COMMITTEE ACTION

Planning and Development Committee

Joint Favorable Substitute

Yea 18 Nay 2 (03/25/2014)